App F IX 4

Previous References
ml 41-30 (152 155)
210-20 (1-2)

1943 63
(ml)

File No 113 42
Serial Nos 8385, ~~113~~
119, 122

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos four

Part B for April 44

SUBJECT

Draft rules relating to the levy of tolls on cycles entering the municipal limits of Chelmsford Town

215466-68 Dy 3 6 44

To the Town Clerk Chelmsford

Approved of the

3477/L

No. A6 C 1033/42-43
Enc. 1 file

Office of the Deputy Commissioner
Tumkur District.
Dated, Tumkur, the 1st Decr: 194

Memo KPS

From

Rec 113-42-54

P. Suryanarayana Setti, Esq., B.A., LL.B.,
Deputy Commissioner,
Tumkur District, Tumkur.

To

C. Narayanaswami Naidu, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

Re the levy of tolls on cycles entering the Municipal limits of Chiknaikanahalli Town

In forwarding herewith an original the connected records received from the President, Chiknaikanahalli Town Municipality on the above subject, I have the honor to state as follows

The President states that Government have in their Order No R 12872-3/ M1 210-20-2 dated 17-5-1942 sanctioned the levy of tolls on laden and unladen carts entering the Municipal limits at 0-2-0 and 0-1-0 respectively

The Municipal Council have resolved at their meeting held on 6-3-1942 to levy tolls at the rate of one anna on every cycle entering the Municipal limits

As the required formalities have been observed and as no objections have been received from any one in regard to the proposed levy of the toll at the rate proposed, I request that sanction of Government may be kindly obtained to the resolution of the Council, for the said levy, as the Council expects an additional income of Rs 200/- a year under this head

I have the honor to be,
sir,
Your most obedient servant,

Deputy Commissioner
Tumkur District

Levy of toll on cycles entering the municipal limits of Chickanna Kanahalli

It is not known if bye-laws for (1) the levy of toll and (2) the registration of vehicles in the Chickanna Kanahalli Town Municipality have been framed

✓ Submitted with a draft letter calling for the information for appl or other orders

Sd 5-5)

To

The D C Tumkur Dist-

Sd/- 5-6-5-42 S. 12-6-42

Calls for certain information

Sd 83) Sd/- C 9/6

Letter no A & C 1033/42-43 dated 22-2-43 from the Dy Comm Tumkur Dist- furnishing the information called for

4 The Chickanna Kanahalli Town Municipal Council have been levying vehicle tax at the place in accordance with the bye-laws framed therefor Flag M They have been levying toll also on laden and unladen carts entering the municipal limits, but it is reported that no bye-laws for the collection of tolls have been framed So far Levy of toll without framing necessary bye-laws there for is not proper The Municipal Council have now proposed to levy toll on cycles entering into the municipal limits

Levy of toll on cycles in the Chikmaiku
nahalli Town Municipality

5064
2
Continuation Sheet

ML File No 113
Current No

of 42 Page 3

5061
WR

5) As it is not proper to levy toll without framing necessary bye-laws there for the Mc may perhaps instructed to frame the bye-laws required and then levy the toll

Law
26/2/43
S 26/2

6) The Secy Chikmaikmahalli may be requested to frame the necessary toll by laws & submit them to Govt for sanction, & it would thereafter be required to levy the Toll amongst without such by laws

Law seen
27/2/43

7) CMS
28/2/43

8) Draft rept put
Law
1/3/43

9) Submitted with a d.o. letter to the D C Tumkur vide

Law
2/3/43
CS 2/3

10) Done
3/3/43

10334 LAT ORE

TYPING SECT
- 3 MAR 1943
CF

85

The D C Tumkur vide
No R 8968 dt 6-3-43
issues certain instructions

11) Since there are no replies received in spite of reminders as the matter is postponed for the present

Law
27/7/43

S.S. 8/3

WD 1140—GPB—50 000—5-11-42

Levy of Tolls in Chickmanakanballi Town ∫ 4178
Mun Mf L

Continuation Sheet | File No / Current No 113 of 42 Page

Letter No Ab C 1908/Chikmag—dy 15-12-44
from the Dy Comm forwarding for sanction
the draft byelaws & Rules for the levy of Tolls
in the Chickmanakanballi Town Municipality
) As called for vide Supra
in the Dy Comm has stated the draft byelaws &c
by the Chickmanakanballi Town Mcl
for the levy of Tolls in that Mcl
13) They may be referred to the Legal
Dept for Scrutiny in the first instance
Sd/- 4/1 14) pl keep up
22/1/45
15) as instructed previously the Dy Comm forwarding a copy
of the Rules in the matter as are in force in the Tarikere
Town Mcl being accepted with necessary modifications
Sd/- 26/1 Secy
26/1/45

as L 7588 dy 30-1-45—
Govt Certain modifications

Rules A
Sd/- 31/1
MMKS

Letter No A6-C 2863/44-45 dy 16-6-45
from the Dy Comm Tarikere Dt
forwarding for sanction draft rules
for the levy of toll in Chickmanakanballi
Town Mcl—
A copy of the rules as are in force in
the Tarikere Town Mcl sent to the D C
Tarikere Dt for reference has not

557/M 4178 ✓ 8412 ✓ 2202
L I

File No

Continuation Sheet ML Current No 113 of 42 Page

been returned as requested
duly with a draft letter for appl
Ulla
29/8

J Steel
29/8/45

30 AUG 1945
GEN A

To The Dy Commr, Tumkur Dt
No L 1965 Dt 13-9-45
Requests him to return the rules
for the levy of toll as are in force in
the Tarikere mcp sent to him for
reference.

For A
14/9

Letter No A6-C 2863/44-45 from the
Dy Commr Tumkur Dt returns the
rules referred to above.

The Bye laws framed by the
Chickmankanhalli Town Mcl
is flagged B. They are based on
the Bye laws which are in force
in the Tarikere Town mcp
duly with reference to Para 25 supra

Ulla
7/11

The Legislative Branch
will be requested to sanction of
the mcl's Bye laws for the levy of toll framed
by the Chickmankanhalli Town Mcl are
in order & may be approved

for favour of submission

Asst Secy Legislative Dept

Mcl E

Mcl

ON BR

for
2/11/45

Levy of Tolls by the Chekkanayakanahalli Town Municipal Council

2902 Continuation Sheet | File No | Current No 557/M of | Page

LS & Branch for kindly putting up a printed copy of the Rules regarding Toll gates framed by the Tarikere Town Municipal Council for perusal and return

20/15/12/95 (Supdt Legl Branch)
DSN
19/12

mr LKS
Jan
17/1

Printed copies of the Rules referred to above are not available. A typed copy of the rules is on the file and it is flagged 'A'

LLS
18/12

Legis Branch
19/12

Mr 21

The draft Rules framed by the Chekkanayakanahalli Municipal Council follow in the main the sanctioned bye-laws of the Tarikere Municipality. The only points of difference are in respect of clauses 11 and 12 and item (1) of Schedule

under clause 11 of the draft Rules the Toll gate Keeper has to furnish a cash security of Rs 25 But under the corresponding clause of the Town Municipal Rules, the Toll gate keeper has to furnish a cash Security of

Levy of Tolls by the Chirkunja Kanaray Municipal Council

neral and Revenue Secretariat | File No 557/M of 194 | 290 [App F III-2

Serial No

under clause 12 of the draft Rules, the maximum amount of cash which a Toll Gate Keeper can keep with him is Rs 10 whereas under the corresponding provision of the Rules framed by the Tarikere Municipal Council the Toll Gate Keeper can have with him a maximum amount of Rs 5

As these differences pertain to matters of administrative detail and do not involve legal opinion the draft Rules seem to be in order Submitted for orders

20/24/12/45 PBVN 24/12

may be approved

Law Secy) 26/12

Asst Secy Legal Affairs) 2/1/46 2/1/46

24/1/46

Submitted with a draft G.O for appl

5/1/46

may be approved

Revenue Secy 31/1/46

Minister for Edn

Dated 12.1.46

4762

4462

NOTE—Contn Sheet

17 JAN 1946

GENERAL & REVENUE SECTION

31/1/46

17/1/46

issue 11/1/46

11/1/46

2202945

File No 113 of 1942	General and Revenue Secretariat
	Serial No

To the Dy Comm Taxation &
the Comptroller
vide L 15466 & dy 3/4/48
Approved by the Rules

5

5 5685 Ltr 113-42-55

9 5:12 42

The D C Transit Co.

Sirs.

With refce to your letter no A6c 1033/42-43 d 1-12-42 requesting Sanction to the resolution of the Chevy Chase Town Hall to levy toll on cycles entering into the said limits I am directed to enclose a copy of bye-laws have been framed (1) for the levy of tolls (2) and for the registration of vehicles, and (license fee) whether tolls is being levied on vehicle within the limits of the said Municipality

H/So. Copy of petition forwarded herewith The records accompanying for refce and returnment - I have &c

Yours

for Secy to Govt

Law Dept

No A6 C 1033 /42-43
Enc 1 bk

Office of the Deputy Commissioner,
Tumkur District
Dated, Tumkur, the 22nd Feb '43

5064

Ml 113-42-85

From

M Navaneetham Naidu, Esq , B A ,B L ,
Deputy Commissioner,
Tumkur District, Tumkur

To

C Narayanaswami Naidu, Esq , B A ,B L ,
Secretary to the Govt of Mysore,
Law Department, Bangalore

Sir,

Re the levy of tolls on cycles entering into the Municipal limits of Chiknaikanahalli town

---

With reference to your letter No L 5655/Ml 113-42-55 dated 5-12-1942 enquiring whether any bye-laws have been framed etc on the above subject, I have the honor to forward herewith, in original, the connected records received from the President, Town Municipal Council, Chiknaikanahalli and to state as follows -

The President states that the levy of registration fees on vehicles has been sanctioned in G O No L 10611-12/Ml 117-41-68 dated the 5th May 1942 and given effect to from 1st July 1942 No bye-laws for the collection of tolls have been framed so far

Copy of the bye-laws sanctioning the levy of the registration fees on vehicles is herein enclosed

I have the honor to be,
sir,
Your most obedient servant,

Navaneetham

Deputy Commissioner,
Tumkur District

AD 22/2

WD 03342—GPB—50 000

193

From

To

Dated

Despatched

Received

General No

No

Enclosure No

2 SEP 1943
L & G BRANCH

TARIKERE TOWN MUNICIPALITY

~~Draft~~ Rules regarding Toll Gates framed under Sections 46(h) of he Mysore Town Municipalities Act, VIII of 1933, as amended from time o time read with Sections 61(b)(iii) and 62 thereof

1 The local limits for the purpose of collecting tolls shall be the Municipal limits or boundaries of Tarikere Town

2 (a) The nam s of the toll gates on the several roads leading to the Town shall be as follows -

(i) One called Birur gate at the eastern end of the ~~Town~~ Town
(ii) Shimoga Gate at the western end of the Town
(iii) Chickmaglur Gate at the southern end of the ~~Town~~ Town
(iv) Lalbagh Gate--n ar the Lalbagh Gate at the northern side of the Town
(v) Machenahalli Gate at the south western side of the Town

(b)(i) The council may, with the approval of the Government, at any time establish such number of check-gates as may be found necessary

No incoming traffic mentioned in Schedule 1 ~~xx~~, and liable to to payment of toll, shall enter the Municipal limits excep' by one of the toll-gates established on the roads mentioned above

(c) The Municipal Council shall have power to change the toll gates established on any one of the above roads as circumstances may render necessary

Subject to the ~~xxpxxix~~ exceptions mentioned in these rules, tolls shall be imposed and collected on all Motor Vehicles, Bicycles, Tricycles carriages and carts, at the rates specified in Schedule 1

No toll shall be levied on through traffic

3 The Municipal Council shall construct Toll Gates, bars and Gate Keeper's stations at each point referred above where the collection of the toll has to be mad

4 table of toll rates both in English and Kannada shall be pasted up in a conspicuous place at each toll gate and the table should indicate

a The vehicles on which and
b The rates at which and (c) the authority under which the toll is leviable

5 (a) ~~every owner or person who is for~~ The Municipal Council shall

subject to the exceptions mentioned in these rules, have a right to collect toll at the above gates either departmentally or by leasing the levy of toll on vehicles at rates as noted in the Schedule "A" ever official-year by public auction, on certain conditions that would be publicly notified in the month of April, every year The toll should be levied only on the incoming traffic

(b) (1) Every owner or person who is for the time being in charge of possession of any Motor Vehicle, tricycle, bicycle, cart, and carriage shall be bound to stop at the first Toll Gate of entry into the Town limits through which he desires to pass

(2) Every such person shall be bound to give all the necessary information for the ascertainment of levy and collection of toll to the person in charge of the toll-gate

5. (c) The person in charge of the Toll Gate shall give to the person paying toll a receipt showing the amount recovered and the date and hour of payment

5. (d) In the case of non-payment on demand of any toll referred to above,, the procedure laid down in Section 87 of the Mysore Town Municipalities Act of 1933 shall be followed by the Municipal authorities

6 No tolls shall be levied at the toll gates for the passage of vehicles and animals

(i) Belonging to or employed by Government
(ii) Belonging to or employed by the Municipal Council
(iii) Licensed or registered under Section 61(ii) of the Mysore Town Municipalities Act by the Municipal Council during the period for which they have been so registered or licensed paying in advance
(iv) (subject to the sanction of Government belonging to a person who was compounded the tolls leviable by periodical payments as established by the license issued thereunder
(v) Vehicles an animals belonging to heads of mutts who hold Sahadas issued by Competent Authority
(iv) (whether owned or hired) for the passage of British Military Officers passing on duty provided they travel in staff car or their uniform, such Officers passing on duty otherwise than uniform shall enter in a book kept by the toll gate keeper for the purpose, their rank, name and the nature of the duty on which they are travelling
(vii) Conveyances used for ambulance purposes
(viii) The Honourable Resident and his personal staff → Secretary to the Resident and the Personal Assistant to the Honourable Resident in Mysore
(ix) Vehicles engaged by the Postal Department to convey Mails
(x) Vehicles conveying Municipal Servants on duty or property in custody of such servants

in the custody of such servants.

(xi) Engaged by the Municipal Council for the supply of jelly stone etc , for the execution of all the works pertaining to the Municipality

(xii) Belonging to His Highness the Maharaja

(xiii) (Whether owned or hired) used for the passage of troops or the conveyances of Government stores or of any other Government property or the property of His Highness the Maharaja or conveyances used by the Dewan and his staff in tour

(xiv) (Whether owned or hired) used for the passage of Military or police officers on duty or the conveyances or passage of any property or person in their custody

(xv) Belonging to Agricultural Department if they produce a certificate issued by the Director of Agriculture that the vehicles belong to the Agricultural Department and they are conveying the Government articles

(xvi) No Toll shall be levied on foot passengers

(xvii) Vehicles of through and out-going traffic

(xviii) Other exemptions to be ordered by the Government of Mysore from time to time

7 No more than one payment of toll shall be demanded at any toll gate in respect of any vehicle etc , mentioned in Schedule "A" in any one period of 24 hours counted from Sun-rise to sun set.

8 The Municipal Council may compound for a period not exceeding one year at a time with any person for a sum to be fixed in accordance with a scale prescribed in schedule II and to be paid monthly, quarterly half-yearly in advance in lieu of all tolls payable in respect of any vehicle belonging to such person and issue a pass as per appendix. A 4 for the free admission of such vehicle within the limits of the Municipality The Municipal Council reserve the power to add or alter the items of amount of fees in this schedule subject to control of Government Any person desiring to compound shall present an application in writing stating the description of vehicle and the period for which he desires to compound and shall deposit al with the application an amount not less than 25% of the total sum which may be due from him for the period desired by him On receip of the deposit, the President or Vice-president may grant him the permit referred to above, but the person so compounding, shall pay the balance of the compounding fee in three equal instalments within the period for which he compounded In default of payment of any such instalment, such person shall not only be liable to pay the daily toll

toll as per the schedule rate from the date of such default but also forfeit any payment already made.

A person so compounding may, before the expiry of the period specified in such permit, apply to the President for the renewal of such permit followed as usual by a deposit mentioned in para 22 In fit cases the President or Vice President may renew the permit

Whenever any such person who has compounded for a definite period desires to discontinue to run his vehicle or animal within the period, he may apply for the refund of the balance of money if any paid by him in advance and on a reasonable cause being shown, the President or Vice President may refund the excess of the amount, if any paid by him, provided that no refund shall be allowed for a sum less than one third of the aggregate amount due for the period for which the composition is effected. All applications for such refund shall be presented within 15 days from the date of such discontinuance, after the lapse of which no such claim shall be considered under any circumstances.

9 The tolls shall be collected in tickets, the form of which should be like the Form No.49 given in the Municipal Accounts Manual The person paying the toll shall receive a ticket with coupon attached to enable him to pass the bar. The progressive totals of the tolls received shall be kept in each page of the Book of tickets in the space provided at the foot as the pages are completed. The totals shall be taken at once and not put off till the end of the day when the progressive ~~xxxxxxxxx~~ and total money received for the day shall be taken up to the last counterfoil and shall be entered therein

10 The Municipal Council shall appoint the necessary staff with the sanction of Government for carrying out the work of Toll bars The staff should be provided with uniforms and badges

11 The Toll Gate Keeper shall furnish a cash security of Rs 100/-

12 The money collected shall be credited to the Treasury at least thrice a week and not more than Rs.50/- shall remain with the Toll Gate Keeper at a time

TOLLS COLLECTED BY SALE OF THE RIGHT OR BY PUBLIC AUCTION

The right to collect tolls at the tollgates shall be sold within 1st May of every year, after duly publishing the notification of the sale with certain rules and conditions embodied thereon, which the President of the Municipal Council deems necessary The notification shall contain the date hour and place at which the sale of tolls for the ensuing official year will be conducted.

13(a) Persons intending to bid at the sale shall attend in person or by a duly accredited agent and every such person shall deposit beforehand an amount that would be prescribed by the President as earnest money

The deposits of all bidders shall be returned at the close of the sale The deposit of the highest bidder who will be called the contractor shall be returned only on fulfilment of the contract

(b) The Contractor shall deposit a security amount equal to one sixth of his bid amount immediately after the sale is over if he is a resident of Mysore State or one third of bid amount if he is a resident outside Mysore and the security shall be in cash (2) The security deposit shall be taken as set off against the dues for the last few months covered by it subject to all the conditions of the Contract having been fulfilled by the Contractor (Every bidder shall produce a certificate of solvency before he bids)

14. The sale shall not become absolute until confirmed by the Municipal Council who reserves the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered

15 The contractor shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and subject to the penalties, forfeiture and liabilities referred to therein and shall furnish if he does not hold property in Mysore at least two sureties, who own sufficient properties in the Mysore State for the due performance of the contract

17 In case the purchaser does not execute the required agreement in time for taking over the collection of the revenue leased out from the 1st July, a resale shall be arranged by the President at risk of the defaulter

18 The Contract shall not be transferred by sale, gift or otherwise or such lease without the previous sanction of the Municipal Council

19 The Contract amount shall be paid in 12 equal monthly instalments, in advance on or before the 5th of every month to the Municipal Council.

20 The Contractor shall have no claim to the fees receovered from the persons compounding the payment of toll in accordance with the standing rules and orders approved by the Government and he shall not levy any toll from such persons He shall also pay along with the instalments the authorised Local, Railway and Educational cesses, if any, at the prescribed rates

21 Interest at 9% per annum shall be charged on the amounts due on that due date up to the date of payments

22 The Contractor shallcollect tolls only at the rates and at the gates on the traffic specified in Schedule "A" of Bye-law No. 2

23 The Contractor shall keep at the toll Gate true accounts of the daily collections and of the traffic passing through the toll Gate These accounts shall be open to the inspection of the Municipal President or the Vice-President or any other person appointed by the Council He shall, if required by the above authorities furnish to the office at the end of every month a true return for the month, showing the traffic passing through the gate in the Prescribed form.

24 The Contractor shall give the person paying the toll, a proper receipt showing the date and hour of payment of toll

25 The Contractor shall have the use of existing toll houses and the gate without payments of any rent and he shall keep them in good repair, failing which the cost of repair shall be recovered from him If any toll Gate or house is required it shall be at the

up at the cost of the Municipal Council

6 The Contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatsoever

26 The Contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and he shall maintain at the toll gate a book wherein travellers may record complaints and forward true extracts thereof once a week to the President.

27 The contractor should arrange at his own cost, for the provision of dangerous lights fifty yards off on either side of toll gates

28 Any breach of the above condition or rules on the part of the contractor or his servants will entail the forfeiture of the deposits or the levy of a fine not exceeding Rs 50/- by the President for each infringement or cancellation of Contract by the Municipal Council If the fine is not paid or in the event of instalments or other sums due to the Municipal Council are not paid within the prescribed time and date, it shall be competent to the President to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise

The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from resale

29 The imposition of the fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being

Annexure
Schedule I

Details of Traffic	Rates
1 Laden carts -- per cart	0 4 0
2. Empty Carts per cart	0 2 0
3. Motor buses or lorries each	1 0 0

4	Motor cars each	0	8	0
5	Motor Bycicles each	0	4	0
6	Ordinary Cycles each	0	1	0

Schedule II

Compounding fees on	Yearly	Half yearly	Quarterl
1 Laden and un-laden carts	Rs 12/-	Rs 7/-	Rs 4/-
2 Motor buses or lorries	Rs 50/-	Rs 30/-	Rs 16/-
3 Motor cars	Rs 25/-	Rs 15/-	Rs 8/-
4 Motor Cycles	Rs 12/-	Rs 7/-	Rs 4/-

for Secretary to Government,
Law Department

Appendix F G—1]

SUBJECT

Section ML

File No 113 — 42

Serial No 85

Diary No of letter replied to

No L 8968/

To

General and Revenue Secretariat

( )

the *194*

The D C Trincomalee

Date of issue 6/3

Sir, (the correspondence ending with

Signed by with reference to) your letter

No A 6 C 1033/42-43 dated 22-2-43

re the proposal of the Trincomalee-

Kuchchaveli Town Municipal Council

to levy toll on cycles entering

into the limits of the Municipality, I am directed to state

that the levy and collection of

toll without framing necessary

~~bye laws~~ rules & bye laws therefor is highly irregular

List of enclosures

I am to request you therefore

to ~~ma~~ assure the Chairman

Copied by 24/3/43 Municipal Council to frame the

Examined by

WD 04161—GI B—60 000—24 10 41

required rules &
bye-laws for the levy of toll at the place
and submit the same for the approval of
Govt, before toll on cycles is levied as proposed by the rest of
the records accompany
I have &c

For Secy to Govt
Law Dept

No A6 C 908/44-45 Office of the Deputy Commissioner,
Tumkur District,
Encl One file Tumkur, dated 15th December 1944

To

The Secretary to Government,
Law Department,
Bangalore

Sir,

Re Levy of tolls on cycles entering the limits of Chikkanaikanahalli Town Municipality

In forwarding herewith in original, the connected records received from the President, Town Municipal Council, Chikkanaikanhalli on the above subject, I have the honour to state as follows -

As observed in your letter No L 9868/M1 113-42-85 dated 6-3-43, the municipal council, has framed bye laws and rules on the lines of those of Tiptur The levy of tolls on laden and unladen carts and the bye laws for numbering and registeration of vehicles, have been sanctioned by Government in the marginally noted orders

G O No R 12872-3/M1 210-20-2 dated 17-5-22
G O No L 10611-12/M1 111-41-68 dated 5-5-1942

With a view to improve the finances of the municipality, the council have resolved at their meeting held on 30-9-43 that toll at 0-1-0 per day on every cycle

to

entering the town limits, be levied By the proposed levy, the council anticipates, an yearly income of Rs 150/- under this head

I request that sanction of Government may be obtained to the resolution of the council in the matter

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Tumkur District

KNN

To [illegible] 17588-del 113-42-120

Re Dc. Tumkur Dnr 30/45

Sir,

With reference to your letter No HBC 908/Laws dated 15-12-44 re the levy of Toll in the Chikkanaikanahalli Dam proj, I am directed to send herewith a copy of the Rules as are in force in the Tumkur Dam proj cl for the levy and collection of Toll for being supplied with necessary particulars & Land Cess Records. The copy may be returned when no longer required. Re recovery of a certain share

Note that the Rules & By-laws now framed by the Board are not [illegible]

for Sec to Govt & Dept

For Deputy Commissioner
Tumkur District.

No A6 C 2863/44-45 MR 113-42-121 Office of the Deputy Commissioner
Encls Tumkur District.

Tumkur, Dated 16th June 1945

From

MIR SAFDAR HUSSAIN Esq B.A.
DEPUTY COMMISSIONER TUMKUR DISTRICT
TUMKUR

The Secretary to Govt of Mysore,
Law Department,
Bangalore

Sir,

Re Draft Rules for the levy of toll in Chiknaikanahalli Town Municipality

---

In forwarding herewith in original, the records received from the President, Chiknaikanahalli Town Municipality, on the above subject, I have the honor to state as follows -

The President states that the present draft bye-laws and rules relating to the levy of toll in this Town Municipality have been framed on the lines of the sanctioned bye-laws of Tarikere Town Municipality as instructed in your (Law Secretary's) letter No L 7588/M1 113-42-120 dated 30-1-1945 and that sanction of Government may therefore be obtained thereto

As the required formalities have been observed in this behalf, I request that sanction of Government may be kindly obtained to the resolution of the Council dated 31-5-1945 for giving effect to the draft bye-laws and rules as it is a measure intended to improve the income under toll revenue of this Town Municipality

I have the honor to be,
sir,
Your most obedient servant,
For Deputy Commissioner
Tumkur District.

16/6

M L-1965

13/9/41

To The Dy/Commr,
Tenkasi

Sir,

With reference to your letter dated 11/6/41 No Ab. C 2863/44-45, forwarding draft Rules for the levy of toll in the Chick naikanhalli Toon melf, I am directed to request you to return the Rules as are in force in the Tarikere Toon melf in this behalf sent to you for reference in this office letter No L 7588/MR 113-42 dt 30-1-45, as the same has not been returned by you as requested therein

I have etc

for Asst Secy to Govt

MB
28/8

With reference to your letter
L 1956/M1 dated 13-9-45 on the
bve subject, I have the honour to
turn herewith the rules as are
torce in Tarikere Town Municipality
desired

I have the honour to be,
Sir
Your most obedient servant,

For Deputy Commissioner
Tumkur District
(absent from Headquarters)

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the 194

Date of issue 14 11-46

Signed by Dy S RR

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No L 6047

To

The Dy Commr Tumkur Dt

Sir,

With reference to your letter no A6 C 2863/44-45 dt 9-11-46 requesting sanction to the Pole Bye Laws of the Chickmanhanhalli town mlty, I am directed to request you to forward a copy of your letter referred to in your letter as the same does not appear to have been received in this office

I have etc

for dy to Govt

Rev depot

WD 02745—GPB—25 000—24 6 46

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to 22.7

General and Revenue Secretariat

( )

the *194*

Date of issue 24-11-45 194

Signed by MW SRR

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section ML

File No 113-42

Serial No 122

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—Letter Correspondence ending with letter no HbC 2863/44-45 dy 21-9-45 from the Dy Comm, Tumkur dt, forwarding for approval the draft rules relating to the establishment of Toll gates levied by the Chickmagalur Town Municipal council under section 46 (c) of the City of Tumkur Municipal Act 1933 as amended from time to time, read with sections 61 (b) (iii) & 62 thereof and stating that no objections have been received in response to the notification calling for objections on the proposed

Order thereon—As

rules

Order No L 15466-81

The rules framed by the 3/4/48
Chickmankanhalli Town Mld
are approved & appended
to this order

from Secy to Govt 11/1/46
Hlth Rlns Deptt

To The Dy Comm Tumkur (w/r)
The Comptroller

List of Enclosures

Copied by

Examined by

WD 087—GPB—40 000—14 11 40

TOWN MUNICIPAL OFFICE
VAYAKARAHALLI

Chickmagalur Town

Rules regarding Toll gates framed under sections 46(h) of the Mysore Town Municipalities Act-VIII of 1933 as amended from time to time read with Sections 61(h)(iii) and 62 thereof

1 The Local limits for the purpose of collecting tolls shall be the municipal limits or boundaries of Chickmagalur Town,

2(a) The Names of Tollgates on the Several roads leading to the town shall be as follows —

1 one called Bana Sandra gate
2 one called Hulugar gate
3 one called Mathighatta gate
4 one called Hagalwadi gate

(b) The Council may with the approval of the government at any time establish such number of check-gates as may be found necessary

No incoming traffic mentioned in Schedule I and liable to the toll gates Established on the roads mentioned above,

c) The Municipal Council shall have power to change the toll gates Established on any one of the above roads as circumstances may render necessary

Subject to the Exceptions mentioned in the Rules Tolls shall be imposed in

and collection on all Motor Vehicles, Bicycles, Tricycles, Carriages and carts, at the rates Specified in Schedule I

No Toll Shall be levied on Through traffic

3 The Municipal Council Shall Contract Toll gates bars and gate keepers Stations at each point referred above where the Collection of the Toll has to be made

4 A Table of Toll Rates both in English and Kannada Shall be pasted up in a Conspicuous place at each toll gate and the table Should indicate,

(a) The Vehicles on which and
(b) The rates at which and
(c) The authority under which the toll is leviable

5 The Municipal Council Shall,

Subject to the exceptions mentioned in these Rule have a right to collect toll at the above Gates either departmentally or by leasing the levy of Toll on Vehicles at Rates as rated in the Schedule "A" every official year, public auction, on certain conditions that would be Publicly notified in the month of April, every year The toll Should be levied only on the inComing traffic

(1) Every owner or Person who is for the time being in charge of Possession of any Motor Vehicle, tricycle, bicycle, Cart and Carriage Shall be bound to Stop at the first toll-gate of entry in to the Town bounds through which he desires to Pass

(2) Every Such person Shall be bound to give all the necessary information for the ascertainment of levy and collection of Toll by the Person in charge of the toll gate

(3) The person in charge of the toll gate shall give to the person paying toll a receipt showing the amount recovered and the date and hour of payment

(4) In the case of non-payment on demand of any toll referred to above the procedure laid down in Section 87 of the Mysore Town Municipal Act-1933 shall be followed by the Municipal authorities

6 No tolls shall be levied at the toll gate for the passage of vehicles and animals

(I) Belonging to or employed by Government

(II) Belonging to or employed by the Municipal

(III) Licensed or registered under Section 61 (II) of the Mysore Town Municipalities Act-by the Municipal Council during the Period for which they have been so registered or the licensed Paying in advance

Subject to the Sanction of Govt- belonging to a person who has compounded the tolls leviable by periodical Payments as established by the License issued thereunder,

(IV) Vehicles and animals belonging to Heads of Mutts and who hold Rahadari issued by Competent Authority

(VI) (whether owned or hired) for the passage of British Military officers passing on duty provided they travel in State Car or in their uniform officers passing on duty otherwise than in uniform shall enter in a book kept by the toll-Gate Keeper for purpose, their rank name and the nature of the duty on which they are travelling.

(VII) Conveyances used for ambalance pury

(VIII) The Honourable the Resident and h Personal Staff Viz the Residency surgeon Secretary to the Honourable the Resident and the Personal Assistant to the Honourable the Resident in my Force

(IX) Vehicles engaged by the Pasal department to convey mails

(X) Vehicles Conveying Municipal Servants on duty or properly in Custody of such in the Custody of such Servants

(XI) Engaged by the Municipal Council for the supply of Jelly Slom &c for the Execution of all the works pertaining to the Municipality

(XII) Belonging to His Highness the Maharaja

(XIII) (whether owned or hired) used for the Passage of Military or police officers on duty or the Conveyances or Passage of any property or Person in their Custody

(XIV) Belonging to Agricultural department if they Produce a certificate issued by the Director of Agriculture that the Vehicles belong to the Agriculture department and they are conveying the government articles

(XVI) No Toll Shall be levied on foot-Passengers

(XVII) Vehicles if Through and out-going traffic

(XVIII) other Exemptions to be ordered by the Govt of Mysore from time to time.

No more than one payment of Toll Shall be demanded at any toll-gate in respect of any Vehicle &c Mentioned in Schedule A in any one period of 24 hours Counted from Sun rise to Sun set-

8 The Municipal Council may Compounded for a period not Exceeding One year at a time with any person for a Sum to be fixed in accordance

with a Scale Prescribed in Schedule II as to the Pay monthly, quarterly or half yearly in advance in lieu of all tolls Payable as per appendix A for the free admission of such Vehicle within the limits of the municipality The Municipal Council reserves the Power to add or alter the items of amount of fees in this Schedule Subject to Control of Govt — Any Person desiring to Compound Shall Present an application in writing Stating the description of Vehicle and the Period for which he desires to compound and Shall deposit along with the application an amount not less than 25% of the total Sum which the may be due from him for the Period desired by him on receipt of the deposit the President or Vice President may grant him the permit referred to above but the Person So Compounding, Shall Pay the balance of the Compounding fee in three equal instalments within the Period for which he Compounded, in default of Payment of any Such instalment Such Person Shall not only be liable to Pay the daily tax as per the Schedule rate from the date of Such default but also forfeit any Payment already made,

A Person So Compounding may, before the Expiry of the period Specified in Such Permit, apply to the President for the renewal of Such permit followed as usual by a deposit as mentioned in Para 2 above but Bases the President or Vice President may renew the Permit,

Whenever any Such person who has Compounded for a definite Period desires to discontinue to keep his Vehicle or animal within the Period, he may

apply for the refund of the balance of money if any paid by him in advance and in a reasonable cause being shown the President or Vice President may refund the excess of the amount, if any paid by him, Provided that no refund shall be allowed for a sum less than one third of the aggregate amount due for the Period for which the Composition is effected. An application for such refund shall be presented within 15 days from the date of such discontinuance after the lapse of which no such claim shall be considered under any circumstances.

9 The Tolls shall be collected in tickets the form of which should be like the form No 69 given in the municipal Account manual. The Person Paying the toll shall receive a ticket with coupon attached to enable him to pass the bar, The Progressive totals of the tolls received shall be kept in each Page of the book of tickets in the Space provided at the foot as the pages are completed The totals shall be taken at once and not put off till the end of the day when the Progressive total money received for the day shall be taken up to the last Counterfoil and Shall be entered therein

10 The Municipal council shall appoint necessary Staff with the Sanction of Govt for carrying out the work of Toll bars, The Staff should be provided with uniforms and badges

11 The Toll Gate Keepers shall furnish a cash security of Rs 25/-

12 The money collected shall be credi
to the Treasury at least thrice a
week and not more than Rs 10/—
shall remain with the Toll gate keep
at a time,

Tolls Collected by Sale of the Right by Public
Auction —

The right to collect Tolls at the toll
-gates shall be sold before 1st May every
year after duly publishing the notification
of the sale with certain rules and conditions
embodied thereon, which the President
of the municipal Council deems necessary
The Notification shall contain the date,
hour and Place at which the Sale of tolls
for the ensuing official year will be conduc

13 (a) Persons intending to bid the Sale shall
attend in person or by a duly accredited
agent and every such person shall deposit
beforehand an amount that would be
prescribed by the President as earnest money
The deposit all bidders shall be returned
at the close of the Sale, The deposit of the
highest bidder who will be called the
Contractor, shall be returned only on
fulfilment of the Contract

(b) The Contractor shall deposit a
Security amount equal to one sixth of the
bid amount immediately after the
Sale is over if he is a resident out
side the Municipal limits and the Security shall be in
cash

Subject to all the Conditions (every bidder shall Produce a certificate of Solvency before he bids)

14 The Sale shall not become absolute until Confirmed by the Municipal Council who reserves the final Power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered

15. The Contractor shall, within fifteen days of the receipt of such intimation of Confirmation of the Sale in his favour execute an agreement on a duly Stamped paper binding himself and his heirs to observe the Conditions hereinafter set forth and Subject to the Penalties, forfeiture and liabilities referred to therein and shall furnish if he does not hold property in Mysore at least two Sureties who own Sufficient Properties in Mysore Sufficient for the due performance of the contract

16 In the case the purchaser does not execute the required agreement in time for taking over the Collection of the revenue leased out from the 1st July, a resale shall be arranged by the President at the risk of the defaulter

17 The Contract shall not be transferred by Sale Gift or otherwise or such lease without the Previous Sanction of the Municipal Council.

18. The contract amount shall be paid in 12 equal monthly instalments in advance on or before the 5th of every month to the [illegible] Council.

19 The Contractor shall have no claim to the fees recovered from the persons Compound the Payment of toll in accordance with the Standing rules and orders approved by the Govt and he shall not levy any toll from such Persons He shall also pay along with the instalments the authorised local, Rate and Educational Cesses of any at the Prescribed rates

20 Interest at 9/ Per annum shall be Charged on the amounts due from that due date up to the date of Payment

21 The Contractor shall collect tolls only at the rates and at gates on the traffic Specified in Schedule A of Bye-law No 2,

22 The Contractor shall keep at the toll gate true accounts of the daily Collections and of the traffic Passing through the Tollgate These accounts shall be open to the inspection of the Municipal President or the Vice President or any other person appointed by the Council He shall if requested by the above authorities furnish to the Office at the end of every month Showing the traffic Passing through the gate in the Prescribed form

23 The Contractor shall have the use of existing toll houses and the gate without Payment of any rent and he shall keep them in good repair, failing which the cost of repair shall be recovered from him if any to rate or how

required it shall be paid ~~up~~ ~~the cost of~~
upto the cost of the Municipal account

25 The Combiador shall not be entitled
to any remission of the Combiach amount
or to any compensation on account of
Seasonal conditions or any other cause
whatsoever

26 The Combiador and his Employees shall
always behave courteously towards the
travelling public and shall not harass them
or give them trouble of any kind nor he shall
maintain at the toll gate a book wherein
travellers may record complaints and forward
true Extracts thereof once a week to the President

21
27 The Combiador should arrange at his own
cost, for the provision of dangerous lights
both (years) ofs on either side of toll gates

27
28 Any breach of the above conditions or
rules on the part of the Combiador or his
Servants will entail the forfeiture of the
deposit or the levy of a fine not Exceeding
Rs 50/- by the President for each infringement
or cancellation of Combiach by the Municipal
Council, if the fine is not Paid or in the
event of instalments or other sums due
(to the President to Suspend further) ofs
not Paid within the Prescribed time and
date, it shall be competent to the President
to Suspend further Collection of toll by the
Combiador and dispose of the right to
collect the toll during the remaining Period
by a resale or otherwise.

The resale will be held at the risk of the
defaulting combiach or who shall be liable to

Make good all losses accruing but shall not be entitled to any profits arising from resale,

24 The impossession of the hire or resale of the contract shall be no bar to the Prosecution of the Contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being

Annexure

Schedule I

		Details of Traffic	Rates
0-2-0	1	Laden Carts Per cart	~~0-4-0~~ 0-3-0 Revised 2nd Ch
0-1-0	2	Empty Carts Per Cart	0-2-0
	3	Motor buses or Lorries each	1-0-0
	4	Motor Cars each	0-8-0
	5	Motor Bicycles each	0-4-0
	6	Ordinary cycles each	0-1-0

Schedule II

Compounding Fees on, yearly Half yearly Quarterly

1	Laden and un-laden carts	12-0-0	7-0-0	4-0-0
2	Motor buses or Lorries -	50-0-0	30-0-0	16-0-0
3	Motor Cars	25-0-0	15-0-0	8-0-0
4	Motor-Cycles	12-0-0	7-0-0	4-0-0

Impressed [illegible]

[illegible] Engineer
President
Town Improvement Council
Chittagong

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

R E A D -

Correspondence ending with letter No A6 C 2863/ 44-45 dated 21st September 1945 from the Deputy Commissioner, Tumkur District forwarding for approval the draft rules relating to the establishment of Toll Gates framed by the Chicknaikanhalli Town Municipal Council under Section 46(h) of the Mysore Town Municipalities Act 1933, as amended from time to time, read with sections 61(b)(iii) and 62 thereof and adding that no objections have been received in response to the notification calling for objections on the proposed rules

ORDER NO. L 154 66-87 mh 113-42-122

BANGALORE DATED THE 3 April 1948

The rules framed by the Chicknaikanhalli Town Municipal Council are approved and appended to this order

By Order etc.,

Secretary to Government,
Revenue Department

To
The Deputy Commissioner, Tumkur District (with records)
The Comptroller to Government

MD/2

CHICKNAIKANAHALLI TOWN MUNICIPALITY

Rules regarding Toll Gates framed under Sections 46(h) of the Mysore Town Municipalities Act VIII of 1933 as amended from time to time read with Sections 61(b)(iii) and 62 thereof

1 The Local limits for the purpose of collecting tolls shall be the municipal limits or boundaries of Chicknaikanahalli Town

2(a) The names of Toll gates on the several roads leading the Town shall be as follows -

1 One Called Banasandra Gate
2 One Called Huliyur Gate
3 One Called Kathighatta Gate
4 One Called Hagalwadi Gate

(b) The Council may with the approval of the Government at any time establish such number of check-gates as may be found necessary.

No incoming traffic mentioned in Schedule I and liable to the Octroi shall enter the Municipal limits except by one of the Toll Gates established on the roads mentioned above

(c) The Municipal Council shall have power to change the toll gates established on any one of the above roads as circumstances may render necessary

Subject to the exemptions mentioned in these rules, tolls shall be imposed and collected on all motor vehicles, bicycles, tricycles, carriages and carts at the rates specified in Schedule I

No Toll shall be levied on through traffic

3 The Municipal Council shall construct Toll Gates bars and Gate-keepers' Stations at each point referred above where the collection of the toll has to be made

4 A Table of toll rates both in English and Kannada shall be posted up in a conspicuous place at each toll gate and the table should indicate -

(a) The Vehicles on which and
(b) The rates at which and
(c) The authority under which the toll is leviable

5 The Municipal Council shall, subject to the exemptions mentioned in these rules, have a right to collect toll at the above Gates either departmentally or by leasing the levy of toll on vehicles..

vehicles at rates as noted in the Schedule "A" every official yearly public auction, on certain conditions that would be publicly notified in the month of April, every year The toll should be levied only on the incoming traffic

(1) Every owner or person who is for the time being in charge of possession of any motor vehicle, tricycle, bicycle, cart and carriage shall be bound to stop at the first toll gate of entry into the Town limits through which he desires to pass.

(2) Every such person shall be bound to give all the necessary information for the ascertainment of levy and collection of toll to the person incharge of the toll gate

(3) The person in-charge of the toll gate shall give th the person paying toll a receipt showing the amount recovered and the date and hour of payment

(4) In the case of non-payment on demand of any toll referred to above, the procedure laid down in Section 87 of the Mysore Town Municipalities Act, 1933 shall be followed by the Municipal Authorities

6 No tolls shall be levied at the toll gates for the passage of vehicles and animals

(i) belonging to or employed by Government
(ii) belonging to or employed by the Municipal Council,
(iii) Licensed or registered under Section 61(ii) of the Mysore Town Municipalities Act by the Municipal Council during the period for which they have been so registered or licensed paying in advance
(iv) subject to the sanction of Government belonging to a person who has compounded the tolls leviable by periodical payments as established by the license issued thereunder
(v) vehicles and animals belonging to heads of Mutts and who hold Rahadari issued by competent Authority
(vi) (whether owned or hired) for the passage of British Military Officers passing on duty provided they travel in staff car or in their uniform. Officers passing on duty otherwise than in uniform shall enter in a book kept by the toll gate keeper for purpose, their rank, name and the nature of the duty on which they are travelling
(vii) Conveyances used for ambulance purposes.
(viii) The Honourable the Resident and his Personal staff viz, the ~~Residency~~ Surgeon, the Secretary to the Hon'ble the Resident and the Personal Assistant to the Hon'ble the Resident in Mysore

(ix) Vehicles engaged by the Postal Department to convey Mails

(x) Vehicles conveying Municipal Servants on duty or property ~~in custody of such~~ in the custody of such servants

(xi) engaged by the Municipal Council or the supply of Jelly Stone etc , for the execution of all the works pertaining to the municipalit

(xii) B longing to H. Highness the Maharaja

(xiii) (whether owned or hired) used for the passage of Military or Police officers on duty or the conveyance or passage of any property or person in their custody

(xiv) Belonging to Agricultural Department if they produce a certificate issued by the Director of Agriculture that the vehicles belong to the Agricultural Department and they are conveying the Government articles

(xv) No Toll shall be levied on foot passengers

(xvi) Vehicles of through and out-going traffic

(xvii) Other exemptions to be ordered by the Government of Mysore from time to time

7 No more than one payment of toll shall be demanded at any toll gate in respect of any vehicle etc , mentioned in Schedule "A" in any one period of 24 hours counted from sun rise to sun set

8 The Municipal Council may compounded for a period not exceeding one year at a time with any person for a sum to be fixed in accordance with a scale prescribed in Schedule II and to be paid monthly quarterly or half yearly in advance in lieu of all tolls payable in respect of any vehicle belonging to such person or issue a pass as per Appendix "A" for the free admission of such vehicle within the limits of the Municipality

The Municipal Council reserve the power to add or alter the items of amount of fees in this Schedule subject to control of Government Any person desiring to compound, shall present an application in writing stating the description of vehicle and the period for which he desires to compound and shall deposit along with the application an ammount not less than 25% of the total sum which may be due from him for the period desired by him On receipt of the deposit, the President or Vice President may grant him the permit referred to above but the person so compounding, shall pay the balance of the compounding fee in three equal instalments within the period for which he compounded, in default of payment of any such instalment, such person shall not only be liable to pay the daily toll as per the Schedule rate from the date of such default but also forfeit any payment already made

A person so compounding may, before the expiry of the period specified in such permit, apply to the President for the renewal of such permit followed as usual by a deposit mentioned in Para 22. In fit cases, the President of Vice-President may renew the permit

Whenever any such person who has compounded for a defenite period desires to discontinue to run his vehicle or animal within the period he may apply for the refund of the balance of money, if any, paid by him in advance and on a reasonable cause being shown, the President or Vice President may refund the excess of the amount, if any, paid by him, provided that no refund shall be allowed for a sum less than one-third of the aggregate amount due for the period for which the composition is effected All applications for such refund shall be presented within 15 days from the date of such discontinuance after the lapse of which no such claim shall be considered under any circumstances

9 The Tolls shall be collected in tickets the form of which should be like the form No 49 given in the Municipal Account Manual The person paying the toll shall receive a ticket with coupon attached to enable him to pass the bar, the progressive totals of the tolls

totals of the tolls received shall be kept in each page of the book of tickets in the space provided at t he foot as the pages are completed The totals shall be t aken at once and not put off till the end of the day when the progressive total money received for the day shall be taken up to the last counterfoil and shall be entered t h erein

10 The Municipal Council shall appoint necessary staff with the sanction of Government for carrying out the work of Toll-bars The Staff should be provided with uniforms and badges

11 The Toll Gate Keepers shall furnish a cash security of Rs 25/-

12 The money collected shall be credited to the Treasury at least thrice a week and not more than Rs 10, shall remain with t he Toll Gate Keeper at a time

Tolls collected by sale of the right by Public ~~Action~~ Auction

The right to collect Tolls at the toll-gates shall be sold within 1st May every year, after duly publishing the notification of t he s ale w i th certain rules and conditions embodied thereon, which the President of the Municipal Council deems necessary The Notification s hall contain the date, hour and place at which the Sale of tolls for the ensuing official year will be conducted

13 (a) Persons intending to bid the Sale shall attend in person or by a duly accredited agent and every such person s h all deposit beforehand an amount that would be prescribed by the President a s earnest money

The Deposit~~s~~ ~~xk~~ of all bidders shall be returned at the close of the sale The Deposit of the highest bidder who will be called the contractor shall be returned only on fulfilment of the contract~~or~~

(b) The Contractor shall deposit a security amount equal to one sixth of his bid amount immediately after the sale is over if he is a resident of Mysore State or one-third of the bid amount if he is a resident outside Mysore and the Secutiry shall be in cash

The Security deposit shall be t aken as set off against the khists due for the last few months covered by itx, subject to all the conditions of the Contract having been fulfilled by the Contractor (every bidder shall produce a certificate of solvency before he bids)

14 The Sale shall not become absolute until confirmed by the Municipal Council, who reserves the f i nal power of refusing or accepting without assigning any reason whatever, the highest or an bid that may be offered

15 The Contractor shall, within fifteen days of the receipt of the intimation of confirmation of the sale in his favour, xxxx execute an agreement on a duly s amped paper binding himself and his heirs to observe t he conditions hereinafter set forth and subject to the penalties, for-feiture and liabilities referred to the rein and shall furnish, if he does not hold property in Mysore at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract

16 In kx case the purchaser does not execute the required agreement in time for taking over the collection of the revenue leased out from the 1st July, a re-sale shall be arranged by the President at the risk of the defaulter

17 The Contract shall not be transferred by sale gift or otherwise or sub-lease without the previous sanction of the Municipal Council

18 The Contract amount shall be paid in 12 equal monthly instalments in advance on or before the 5th of every month to the Municipal Council

(Contd

19. The contractor shall have no claim to the fees recovered from the persons compounding the payment of toll in accordance with the standing rules and orders approved by the Government and he shall not levy any toll from such persons He shall also pay along with the instalments the authorised local, railway and educational cesses, if any, at the prescribed rates

20. Interest at 9 per cent per annum shall be charged on the amounts due from that due date up to the date of payment

21. The contractor shall collect tolls only at the rates and at gates on the traffic specified in Schedule A of Bye-law

22. The contractor shall keep at the toll gate true accounts of the daily collections and of the traffic passing through the toll-gate Those accounts shall be open to the inspection of the Municipal President or the Vice-President or any other person appointed by the Council He shall if required by the above authorities furnish to the office at the end of every month a true return for the month showing the traffic passing through the gate in the prescribed form

23 The Contractor shall give the person paying the toll a proper receipt showing the date and hour of payment of toll

24 The contractor shall have the use of existing toll houses and the gate without payment of any rent and he shall keep them in good repair, failing which the cost of repair shall be recovered from him. If any toll-gate or house is required it shall be put up to the cost of the Municipal Council

25 The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatsoever

26 The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and he shall maintain at the toll-gate a book wherein travellers may record complaints and forward true extracts thereof once a week to the President.

27 The contractor should arrange at his own cost, for the provision of dangerous lights 50 yards off on either side of

of toll-gates.

28 Any breach of the above condition or rules on the part of the contractor or his,servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs.50/- by the President for each infringement or cancellation of contract by the Municipal Council, If the fine is not paid or in the event of instalments or other sums due [illegible] are not paid within the prescribed time and date, it shall be competent to the President to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise

The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses resulting but shall not be entitled to any profits arising from resale

29 The imposition of the fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being

ANNEXURE

Schedule I

Details of Traffic

Rates

		Rs.
1	Laden Carts per cart .	0- 2-0
2	Empty Carts per cart .	0- 2-0
3	Motor buses or lorries each	1- 0-0
4.	Motor cars each .	0- 8-0
5.	Motor Bicycles each ..	0- 4-0
6	Ordinary cycles each	0- 1-0

Schedule II

Compounding Fees on .	yearly	half-yearly	quarterly
1. Laden and un-laden carts	12-0-0	7-0-0	4-0-0
2 Motor buses or lorries	30-0-0	20-0-0	16-0-0
3 Motor Cars ..	25-0-0	15-0-0	8-0-0
4. Motor Cycles ..	12-0-0	7-0-0	4-0-0

For Secy to Govt

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

R E A D -

Correspondence ending with letter No A6 C 2863/44-45 dated 21st September 1945 from the Deputy Commissioner, Tumkur District, forwarding for approval the draft rules relating to the establishment of Toll Gates framed by the Chicknaikanhalli Town Municipal Council under Section 46(h) of the Mysore Town Municipalities Act 1933, as amended from time to time, read with sections 61(b)(iii) and 62 thereof and adding that no objections have been received in response to the notification calling for objections on the proposed rules

ORDER NO L.15'466-8/Mh 113-42-122

BANGALORE DATED THE 3 April 1948

The rules framed by the Chicknaikanhalli Town Municipal Council are approved and appended to this order

for Secretary to Government,
Revenue Department

The Deputy Commissioner, Tumkur District (with records)
The Comptroller to Government

TKD/2

CHICKMAGALUR TOWN MUNICIPALITY

Rules regarding Toll Gates framed under Sections 46(h) of the Mysore Town Municipalities Act VIII of 1933 as amended from time to time read with Sections 61(b)(iii) and 62 thereof.

1 The Local limits for the purpose of collecting tolls shall be the municipal limits or boundaries of Chicknaikanahalli Town

2(a) The names of Toll gates on the several roads leading to the Town shall be as follows -

1 One called Sanasandra Gate
2 One called Biliyur Gate
3 One called Kathignatta Gate
4. One called Kadaladi Gate

(b) The Council may with the approval of the Government at any time establish such number of check-gates as may be found necessary.

No incoming traffic mentioned in Schedule I and liable to payment of toll shall enter the Municipal limits except by one of the Toll Gates established on the roads mentioned above

(c) The Municipal Council shall have power to change the toll gates established on any one of the above roads as circumstances may render necessary

Subject to the exemptions mentioned in these rules, tolls shall be imposed and collected on all motor vehicles, bicycles, tricycles, carriages and carts,, at the rates specified in Schedule I

No toll shall be levied on through traffic

3 The Municipal Council shall construct Toll Gates bars and Gate-keepers' Stations at each point referred to above where the collection of the toll has to be made

4 A Table of toll rates both in English and Kannada shall be posted up in a conspicuous place at each toll gate and the table should indicate -

(a) The Vehicles on which and
(b) the rates at which and
(c) The authority under which the toll is leviable

5 The Municipal Council shall, subject to the exemptions mentioned in these rules, have a right to collect toll at the above gates either departmentally or by leasing the levy of toll on vehicles.

vehicles at rates as noted in the Schedule "A" every official yearly by public auction, on certain conditions that would be publicly notified in the month of April, every year The toll should be levied only on the incoming traffic

(4) Every owner or person who is for the time being in charge of possession of any motor vehicle, tricycle, bicycle, cart and carriage shall be bound to stop at the first toll gate of entry into the Town limits through which he desires to pass

(2) Every such person shall be bound to give all the necessary information for the ascertainment of levy and collection of toll to the person incharge of the toll gate

(3) The person in-charge of the toll gate shall give to the person paying toll a receipt showing the amount recovered and the date and hour of payment

(4) In the case of non-payment on demand of any toll referred to above, the procedure laid down in Section 67 of the Mysore Town Municipalities Act, 1888 shall be followed by the Municipal Authorities

6 No tolls shall be levied at the toll gates for the passage of vehicles and animals

(i) belonging to or employed by Government
(ii) belonging to or employed by the Municipal Council
(iii) Licensed or registered under section 61(ii) of the Mysore Town Municipalities Act by the Municipal Council during the period for which they have been so registered or licensed paying in advance
(iv) subject to the sanction of Government belonging to a person who has compounded the tolls leviable by periodical payments as established by the license issued thereunder
(v) vehicles and animals belonging to heads of Mutts and who hold Kaladari issued by competent authority
(vi) (whether owned or hired) for the passage of British Military Officers passing on duty provided they travel in staff car or in their uniform Officers passing on duty otherwise than in uniform shall enter in a book kept by the toll gate keeper for purpose, their rank, name and the nature of the duty on which they are travelling
(vii) Conveyances used for ambulance purposes
(viii) The Honourable the Resident and his Personal staff viz, the Residency Surgeon, the Secretary to the Hon'ble the Resident and the Personal Assistant to the Hon'ble the Resident in Mysore.

(ix) Vehicles engaged by the Postal Department to convey Mails

(x) Vehicles conveying Municipal Servants on duty or property ~~in custody afforesaid~~ in the custody of such servants

(xi) Engaged by the Municipal Council for the supply of Jelly Stone etc , for the execution of all the works pertaining to the Municipality.

(xii) Belonging to His Highness the Maha Raja

(xiii) (Whether owned or hired) used for the passage of Military or Police Officers on duty or the conveyance or passage of any property or person in their custody

(xiv) Belonging to Agricultural Department if they produce a certificate issued by the Director of Agriculture that the vehicles belong to the Agricultural Department and they are conveying the Government Articles

(xv) No Toll shall be levied on foot passengers

(xvi) Vehicles of Through and cut-going traffic

(xvii) Other exemptions to be ordered by the Government of Mysore from time to time

7 No more than one payment of toll shall be demanded at any toll gate in respect of any vehicle etc , mentioned in Schedule "A" in any one period of 24 hours counted from sun rise to sun set

8 The Municipal Council may compound for a period not exceeding one year at a time with any person for a sum to be fixed in accordance with a scale prescribed in Schedule II and to be paid monthly quarterly or half yearly in advance in lieu of all tolls payable as per Appendix "A" for the free admission of such vehicle within the limits of the Municipality (in respect of any Vehicle belonging to such person or issue a pass

The

The Municipal Council reserve the power to add or alter the items of amount of fees in this Schedule subject to control of Government. Any person desiring to compound shall present an application in writing stating the description of vehicle and the period for which he desires to compound and shall deposit along with the application an amount not less than 25% of the total sum, which may be due from him for the period desired by him On receipt of the deposit, the President or Vice President may grant him the permit referred to above, but the person so compounding, shall pay the balance of the compounding fee in three equal instalments within the period for which he compounded, in default of payment of any such instalment such person shall not only be liable to pay the daily toll as per the Schedule rate from the date of such default but also forfeit any payment already made

A person so compounding may before the expiry of the period specified in such permit, apply to the President for the renewal of such permit followed as usual by a deposit mentioned in Para 22 In fit cases the President of Vice-President may renew the permit

Whenever any such person who has compounded for a defenite period. desires to discontinue to run his vehicle or animal within the period, he may apply for the refund of the balance of money if any, paid by him in advance and on a reasonable cause being shown, the President or Vice President may refund the excess of the amount, if any, paid by him, provided that no refund shall be allowed for a sum less than one-third of the aggregate amount due for the period for which the composition is effected All applications for such refund shall be presented within 15 days from t he date of such discontinuance after the lapse of which no such claim shall be considered under any circumstances

9 The Tolls shall be collected in tickets the form of which should be like the form No 4. given in the Municipal Account Manual. The person paying the toll shall receive a ticket with coupon attached to enable him to pass the bar, the progressive totals of the tolls

totals of the tolls received shall be kept in each page of the book of tickets in the space provided at the foot as the pages are completed. The totals shall be taken at once and not put off till the end of the day when the progressive total money received for the day shall be taken up to the last counterfoil and shall be entered therein

10 The Municipal Council shall appoint necessary staff with the sanction of Government for carrying out the work of Toll-bars The Staff should be provided with uniforms and badges

11. The Toll Gate Keepers shall furnish a cash security of Rs 25/-

12 The money collected shall be credited to the Treasury at least thrice a week and not more than Rs 10, shall remain with the Toll Gate Keeper at a time.

Tolls collected by sale of the right by Public Auction

The right to collect Tolls at the toll-gates shall be sold within 1st May every year, after duly publishing the notification of the sale with certain rules and conditions embodied thereon, which the President of the Municipal Council deems necessary The Notification shall contain the date, hour and place at which the Sale of tolls for the ensuing official year will be conducted.

13 (a) Persons intending to bid the Sale shall attend in person or by a duly accredited agent and every such person shall deposit beforehand an amount that would be prescribed by the President as earnest money

The Deposit of all bidders shall be returned at the close of the sale The Deposit of the highest bidder who will be called the contractor shall be returned only on fulfilment of the contract.

(b) The Contractor shall deposit a security amount equal to one sixth of his bid amount immediately after the sale is over if he is a resident of Mysore State or one-third of the bid amount if he is a resident outside Mysore and the Secutiry shall be in cash

The Security deposit shall be taken as set off against the khists due for the last few months covered by it, subject to all the conditions of the contract having been fulfilled by the Contractor (every bidder shall produce a certificate of solveney before he bids)

14 The Sale shall not become absolute until confirmed by the Municipal Council, who reserves the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered

15 The Contractor shall, within fifteen days of the receipt of the intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and subject to the penalties, for-feiture and liabilities referred to therein and shall furnish if he does not hold property in Mysore at least two sureties, who own sufficient properties in the Mysore State for the due performance of the contract

16 In case the purchaser does not execute the required agreement in time for taking over the collection of the revenue leased out from the 1st July, a re-sale shall be arranged by the President at the risk of the defaulter

17 The Contract shall not be transferred by sale gift or otherwise or sub-lease without the previous sanction of the Municipal Council

18 The Contract amount shall be paid in 12 equal monthly instalments in advance on or before the 5th of every month to the Municipal Council

(Contd.

19 The contractor shall have no claim to the fees recovered from the persons compounding the payment of toll in accordance with the standing rules and orders approved by the Government and he shall not levy any toll from such persons He shall also pay along with the instalments the authorised local, railway and educational cesses, if any, at the prescribed rates

20 Interest at 6 per cent per annum shall be charged on the amounts due from that due date up to the date of payment

21 The contractor shall collect tolls only at the rates and at gates on the traffic specified in schedule A of bye-law No 2

22 The contractor shall keep at the toll gate true accounts of the daily collections and of the traffic passing through the toll-gate These accounts shall be open to the inspection of the Municipal President or the Vice-President or any other person appointed by the Council He shall, if required by the above authorities furnish to the office at the end of every month a true return for the month showing the traffic passing through the gate in the prescribed form

23 The contractor shall give the person paying the toll a proper receipt showing the date & hour of payment of toll

24 The contractor shall have the use of existing toll houses and the gate without payment of any rent and he shall keep them in good repair, failing which, the cost of repair shall be recovered from him, If any toll-gate or house is required it shall be given up to the use of the Municipal Council

25 The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatsoever

26 The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind He shall maintain at the toll-gate a book wherein travellers may record complaints and forward true extracts thereof once a week to the President

27 The contractor should arrange at his own cost, for the provision of dangerous lights as set off on either side of

of toll-gates

Any breach of the above condition or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding £ 50/- by the President for each infringement or cancellation of contract by the Municipal Council, if the fine is not paid or in the event of instal ents or other amounts due not paid within the prescribed time limit, it shall be competent to the President to stop the collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale thereof.

The result will be that the defaulting contractor will be liable to make good all losses sustained but shall not be entitled to any profits arising from resale

The imposition of the fine or resale or the contract shall be no bar to the prosecution of the contractor or his employees for any offence against the provisions of other legal enactments or under any law in force for the time being.

ANNEXURE
Schedule I

	Details of Traffic	Rates
1	Laden Carts per cart	0- 2-0 (between sunset and sunrise 0-4-0)
2	Empty Carts per cart	0- 2-0
3	Motor buses or lorries each	1- 0-0
4	Motor cars each	0- 8-0
5	Motor Bicycles each	0- 4-0
6	Ordinary cycles each	0- 1-0

Schedule II

	Compounding Fees on	yearly	half-yearly	quarterly
1	Laden and un-laden carts	12-0-0	7-0-0	4-0-0
2	Motor buses or lorries	50-0-0	30-0-0	16-0-0
3	Motor Cars	25-0-0	15-0-0	8-0-0
4	Motor Cycles	12-0-0	7-0-0	4-0-0

for Secy to Govt
Rev Dept